



HAMPDEN TOWN COUNCIL SPECIAL TOWN MEETING  
HAMPDEN MUNICIPAL BUILDING  
AGENDA

MONDAY

JULY 26, 2021

6:00 P.M.

- A. PLEDGE OF ALLEGIANCE
- B. CALL TO ORDER
- C. UNFINISHED BUSINESS
- D. NEW BUSINESS
  - a. Council consideration regarding School Funding
  - b. Discussion on Broadband, *requested by Amy Ryder, Economic Development Director.*
  - c. Council consideration on Remote Meeting Policy, *referred from Council Workshop.*
- D. ADJOURNMENT

Note: Council will take a five-minute recess at 8:00 p.m.

FOR THOSE THAT WISH TO PARTICIPATE IN THE  
REMOTE HAMPDEN TOWN COUNCIL  
WORKSHOP ON JULY 26, 2021 AT 6:00 PM YOU  
MAY PHONE IN USING THE FOLLOWING  
NUMBER (FOLLOWED BY THE PIN #)

**1-406-686-3977      PIN 424 114 633#**

OR-

FROM A LAPTOP OR A DESKTOP, YOU MAY GO  
TO THIS URL: [meet.google.com/vxi-hbqg-  
hga](https://meet.google.com/vxi-hbqg-hga) AND JOIN US THAT WAY

**INSTRUCTIONS ARE POSTED WITH THE AGENDA  
AND SEPARATELY ON THE TOWN CALENDAR AT  
[WWW.HAMPDENMAINE.GOV](http://WWW.HAMPDENMAINE.GOV)**

## **Using Google Meet to Participate in Hampden Town Council Remote Meetings**

### **How to join:**

1. Town Council members will receive an email or a Google Calendar Invite with a link to join the meeting.
2. People interested in joining will need to go to the link posted on the town events calendar at [www.hampdenmaine.gov](http://www.hampdenmaine.gov).
3. Anyone can also join for audio-only participation by calling the number provided on the town events calendar and then entering the PIN provided followed by the # symbol.

### **Protocols for Remote Meetings:**

1. Log in or call in at least 5 minutes before scheduled start of meeting.
2. For the audio portion, use either your phone or your computer microphone, not both.
3. Mute your phone or computer mic unless speaking. Remember to un-mute if you want to speak. To mute or unmute in Google Meet, click on the little microphone icon at the bottom of the screen; note you may need to move your mouse pointer around the bottom of your screen to get the bottom bar to appear.
4. Speak up if using a computer microphone or if using the speaker function on your telephone.
5. Do not rustle papers in front of your mic unless it's muted. Please minimize background noise.
6. If you're referring to a document, identify it including page or sheet number.
7. If using the video function, have a light source in front of you if possible. Try to avoid backlighting.
8. If you want to look good, have your camera mounted at eye level or above. Look at yourself on screen to check the lighting, camera position, what's in the background, etc. In Google Meet, you can do this "video check" when you open the program before you join the meeting.
9. If you are participating by audio only, identify yourself when speaking.
10. ALL votes will be by roll call.
11. After the meeting is adjourned, click on the red phone icon on the bottom bar to leave the meeting, or (obviously) just hang up the phone if that is how you are participating.

For detailed instructions on using Google Meet, please refer to their website:

[support.google.com/a/users/answer/9282720?hl=en](https://support.google.com/a/users/answer/9282720?hl=en)



## Memorandum

TO: Town Council  
FROM: Paula Scott, Town Manager  
DATE: July 21, 2021  
RE: School funding

I was recently contacted by Cindy Grant, Newburgh's Town Manager who subsequently forwarded me an email thread between her and Superintendent Nickels regarding the increase in school funding from the State.

As you may recall, during the budget talks when Regan attended the Council meeting to discuss RSU 22's budget, she mistakenly interpreted it that the 55% funding would take place next year..

The budget bill allows school board members to use the subsidy in these four ways:

- General fund
- Reserves
- Reduction of taxes
- Increase of expenditures

Because of the knowledge that some school districts are returning funds to the tax payers by way of reduced appropriations, Cindy asked what RSU 22 was going to be doing with the increase and was informed that the school board opted to wait until after contract negotiations before making that decision. It seems to me that anticipated wage increases would have already been included in the budget.

The Newburgh Selectboard has drafted a letter to be sent to the RSU 22 Board of Directors asking them to return the funds to reduce taxes and are asking all towns within the RSU to consider doing the same. I have enclosed a copy of their letter for your information and consideration.



Paula Scott &lt;townmanager@hampdenmaine.gov&gt;

**FW: State Subsidy**

2 messages

newburghmgr@uninets.net <newburghmgr@uninets.net>  
To: Paula Scott <townmanager@hampdenmaine.gov>

Wed, Jul 14, 2021 at 11:26 AM

From: Regan Nickels <rnickels@rsu22.us>  
Sent: Wednesday, July 14, 2021 10:07 AM  
To: Cindy Grant <newburghmgr@uninets.net>  
Subject: Re: State Subsidy

Hi Cindy,

*2nd email*

Yes, the state has picked up 55% of the education cost for this year (and I had initially interpreted it would be for next year). The budget bill grants school boards discretion to utilize the subsidy in four approved ways:

- general fund • reserves • reduction of taxes • increase of expenditures

At our district budget meeting we did pass an article that allows for receipt of additional subsidy and use for additional expenditures or the other options above. Because we are in the middle of contract negotiations, the school board will not be deciding this route until the contract is complete which could be awhile. I'll keep you posted.

Sincerely,

Regan

On Wed, Jul 14, 2021 at 9:40 AM <newburghmgr@uninets.net> wrote:

Regan,

*1st email*

I hope you are well and rested from vacation. I am hearing from some other towns that they are being notified by their school districts of a state subsidy increase which is lowering their taxable amount. Is this the increase I had spoke to you earlier about which you thought would be for next year?

Cynthia Grant

Newburgh Town Manager

Newburgh Maine 04444

207-234-4151 Phone

207-234-2791 Fax

--  
*Regan Nickels*

Superintendent of Schools

RSU #22

24 Main Rd N Hampden, ME 04444

(207) 862-3255

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**newburghmgr@uninets.net** <[newburghmgr@uninets.net](mailto:newburghmgr@uninets.net)>

Wed, Jul 14, 2021 at 12:47 PM

To: winterporttownmanager@outlook.com, Paula Scott <[townmanager@hampdenmaine.gov](mailto:townmanager@hampdenmaine.gov)>

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**From:** Regan Nickels <[rnickels@rsu22.us](mailto:rnickels@rsu22.us)>

**Sent:** Wednesday, July 14, 2021 12:13 PM

**To:** Cindy Grant <[newburghmgr@uninets.net](mailto:newburghmgr@uninets.net)>

**Subject:** Re: State Subsidy

*3rd email*

The previous amount from the state is not defined by % off from 55% but I can inquire about that. The % that is defined is the percentage of EPS that RSU 22 qualifies for receiving; typically 69%.

I think we should talk about this on the phone as there are so many moving parts related to school funding. I am going into interviews this afternoon from 12:15-4:00 p.m. but can call in between or after 4:00 p.m.

Will that work for you?

Sincerely,

Regan

On Wed, Jul 14, 2021 at 11:57 AM <[newburghmgr@uninets.net](mailto:newburghmgr@uninets.net)> wrote:

Can you tell me what the previous % was prior to this 55%

[Quoted text hidden]

[Quoted text hidden]

07/14/2021 08:20

07/04/2021 14:35

12079486289

MSAD H3 ACCTS PYBLE (FAX)2073823040

P.001/002  
PAGE 02/03



COPY

Barbara Van Deventer  
84 School Street  
Unity, Maine 04988  
Tel. 207-948-6136 Option #4  
Fax 207-948-6209  
E-mail: [bvandeventer@rsu3.org](mailto:bvandeventer@rsu3.org)

Regional School Unit No. 3/RSU3

July 12, 2021

To: Town Clerks

Re: Town Assessments 2021-22.

Due to an increase in the State contribution for funding education and the reduction in the Local Mill Rate Cap from 7.90 to 7.26 the Required Local Contribution by each town has been reduced.

Please see the new Town Assessment Schedule which has been updated. If you have already paid the July 2021 Assessment according to the previous notice, please calculate the overpayment for July and reduce your August payment by that amount. The payments for the months following should be able to follow this schedule.

If you have any questions, please feel free to contact me at the Superintendent's office telephone number 948-6136 option 4.

Thank you again for your assistance, and your support,

A handwritten signature in black ink, reading "Barbara Van Deventer", is written over a horizontal line.

Barbara Van Deventer  
RSU 3 Business Manager

Encl.



## Town of Newburgh

2220 Western Ave., Newburgh, ME 04444

(207) 234-4151

Fax: (207) 234-2791

July 14, 2021

RSU 22 School Board  
24 Main Rd No  
Hampden, ME 04444

COPY

Dear RSU 22 Board Members:

We write you regarding RSU22's budget for fiscal year 2022. It is our understanding from correspondence with Superintendent Nickels and our town manager that the district's budget was based on a less than 55 percent reimbursement from the State of Maine. We further understand Maine has now adopted a school reimbursement of 55 percent for this fiscal year.


Supt Nickels stated the bill allows the schools discretion on how this additional money can be allocated. It may be spent on general fund, reserves, reduction of taxes, and/or increase of expenditures. She further stated that the district is in contract negotiations and until those negotiations are settled, the decision of extra fund allocation will not be made.

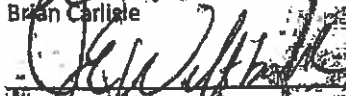
We, the Board of Selectmen for Newburgh, wish to express in the strongest terms possible the need for these funds to be used for taxation reduction. We strongly believe that this excess money should be returned to the taxpayers. We also hope that with districts receiving these unexpected funds and debating salary increases, they will continue to fight to keep contract negotiations at reasonable levels without using these unexpected funds as a cushion. It would seem logical that these new negotiation levels should have already been considered in the budget just passed.

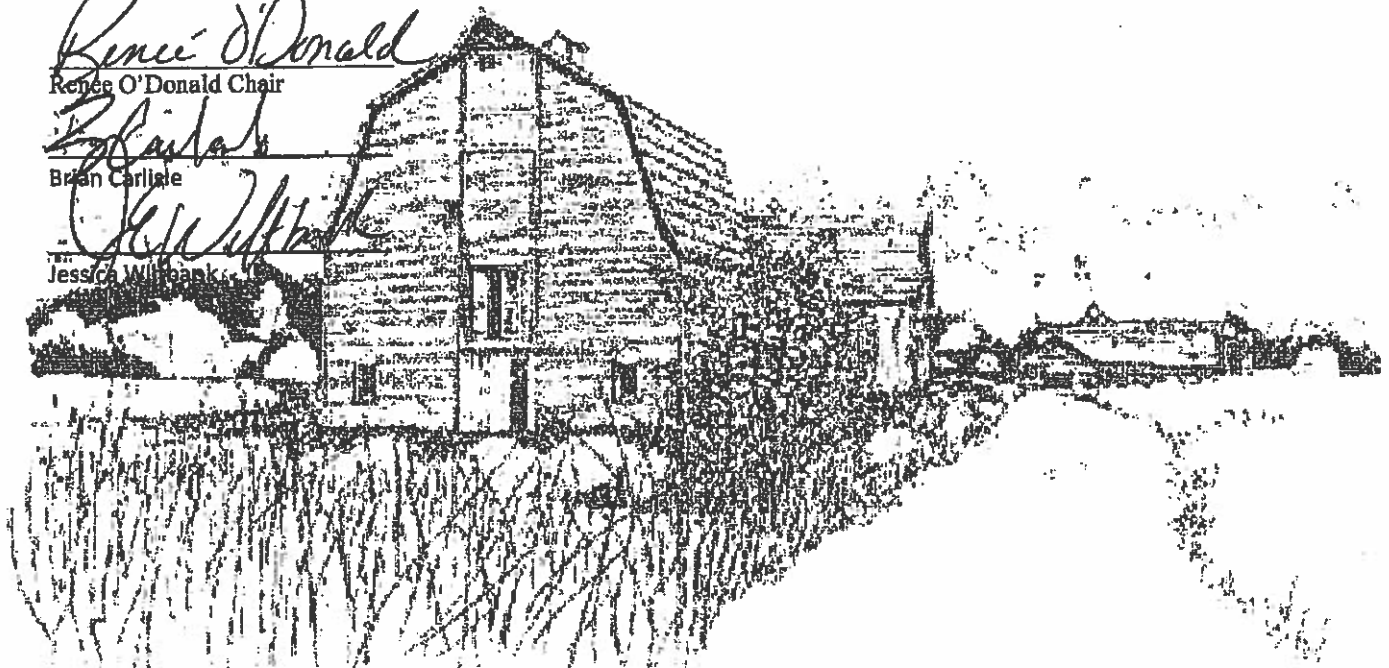
We further hope that past and current emergency Covid19 school funding assistance from federal and state government has more than taken care of unexpected expenses.

Thank you all sincerely for your time and consideration.

  
Renee O'Donald Chair

  
Brian Corliss

  
Jessica Wilbanks







Town of Hampden  
Economic Development

## MEMORANDUM

To: Town Council

From: Amy Ryder, Economic Development Director

Date: July 21, 2021

RE: Broadband

The Town of Hampden has been working with AXIOM internet since 2018 in providing faster municipally owned internet to the community. AXIOM has been working with us for free for the last 14+ months, coming up with a model that would produce the town with \$1M over the 20-year bond term.

While working with AXIOM, I have been reaching out to other ISPs with no luck in any of them showing interest. TDS has finally reached out to me once hearing about the momentum we have working with AXIOM.

Even though we don't have any written commitment with TDS, they have verbally expressed interest and I'd like the opportunity to discuss the pros and cons of either avenue; TDS and AXIOM.

I have attached the presentation that was given to the public on July 21<sup>st</sup> about the AXIOM model and partnership for those who were not in attendance. The model was well received by the public, and I believe is a viable option for the town of Hampden.

Thank you,

Amy Ryder

# Highspeed Hampden

Bringing Broadband to  
Hampden

- Excited to bring world-class broadband service to the community
- Unrivaed speed and reliability
- Serving Entire Town- equal access to all
- Municipally Owned Network- we control
- Axiom operates network on behalf of town
- No Taxpayer increases expected

**Welcome**

- Maine owned and operated
- Committed to rural Maine since 2004
- “Every connection counts”
- Other communities who have partnered with Axiom:
  - Georgetown
  - Arrowsic
  - Cranberry Isles
  - Roque Bluffs
  - Monhegan
  - Southport
  - Somerville
  - Many others



# Axiom



- Symmetrical service- same upload and download speeds
- Guaranteed speeds- you receive what you pay for-
  - No "up to" or "best effort"
- Expected Rates
  - 50/50Mbps \$59.99
  - 100/100Mbps \$64.99
  - 250/250Mbps \$109.99
  - 500/500Mbps \$149.99
  - 1G/1G- \$199.99
- Business Rates also available
- Phone- \$24.99/month



## Streaming & Speed

- Fiber will be run town wide offering service to all residents and businesses
- 335 homes in Hampden don't meet state minimum speed
- \$99 sign up fee that is reimbursed 1<sup>st</sup> month of service
- Town will set up affordability fund to help less fortunate



**Service Entire Town**

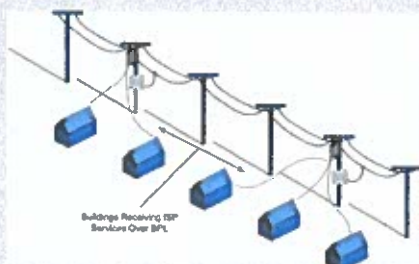
- Town of Hampden will Own the network- we control the asset!
- Subscriber Revenues will pay Bond Payments
- Payments will create a surplus of over \$1M over life of bond
- 938 homes needed to make payment
- \$4.5 million 20 year Municipal Bond
- 12 year agreement with Axiom with opt out clause every 3-4 years



**Municipally Owned**



- Axiom coordinates all service
  - Trouble calls
  - Dispatch of field crew
  - Break/fix issues
- Axiom will pay for all service issues from main line to home
- Town will insure main trunk and CO equipment
  - Revenue return expected to cover this expense



**Who pays for  
What**



- State-of-the-art system that is futureproof
  - Life expectancy 40 plus years
- Unrivalled reliability and speeds
  - Symmetrical service
- No taxpayer funds needed- system paid for entirely by subscribers
- Fiber is an economic driver for the community
- Every home will have access to same level of service
- Community project- driven by your support
- Contact Amy at Town Office or Mark from Axiom for more information

## Final Thoughts

QUESTIONS

THANK YOU



## Memorandum

TO: Town Council  
FROM: Paula Scott, Town Manager  
DATE: July 22, 2021  
RE: Remote Meeting Policy

During the discussion at the last workshop regarding the Remote Meeting Participation Policy, there were some suggestions and questions that came from Councilors which I noted and took to our town attorney for clarification; summarized below:

1. Can remote participation by board members be restricted to video only and not by telephone so the public knows who is actually voting?

Yes. Section 403-B sets the minimum conditions that must be included but does not expressly preempt the body from adding more restrictive conditions. This proposed condition does not conflict with any statutory conditions. This is applicable only to the officials and not the public.

2. Can the Council require executive session attendance be in person?

While the statute does not explicitly prohibit such a restriction, that restriction arguable conflicts with the condition that "A member of the body who participates in a public proceeding by remote methods is present for purposes of a quorum and voting." It could also effectively prohibit executive sessions in another pandemic situation where meeting in person is prohibited. My suggestion would be to address what I assume are concerns about security and confidentiality through technological means other than that requirement.

3. Would this policy extend to advisory boards such as the rec committee or the pool board who are technically appointed by Council, are not statutory positions and are advisory not regulatory?

Yes. This policy is authorized by and enacted pursuant to the Freedom of Access Act requirements applicable to "public proceedings". This term includes any board, commission, agency or authority of any county, municipality, school district or any regional or other political subdivision and is to be interpreted liberally. The boards/committees you mentioned are appointed by and subsidiary to the Council so if the Council passes this policy, it will automatically apply to them. In contrast, public bodies that are autonomous such as the Planning Board, Board of Appeals,

Board of Assessment Review, etc...) must each separately adopt this policy after notice and hearing in order for their respective members to participate via remote methods.

4. Can the Council limit the number of times a Councilor is allowed to participate remotely? Our Charter states that after missing 6 meetings in a 12 month period, the Councilor has forfeited their office. Can or should we allow no more than 6 remote meetings?

Yes, I think such a restriction would be permissible under both the Charter and section 403-B

The answers to the questions asked and answered by legal counsel have been incorporated into the draft policy for your review. As a reminder, in the absence of a policy, the emergency legislation permitting remote participation will expire July 30<sup>th</sup>.





Town of Hampden  
Remote Meeting Participation Policy

Pursuant to 1 MRSA § 403-B, and after public notice and hearing, the Town of Hampden adopts the following policy to govern the participation, via remote methods, of members of the body and the public in the public proceedings or meetings of the body.

Members of the body are expected to be physically present for meetings except when not practicable, such as in the case of an emergency or urgent issue that requires the body to meet via remote methods, or an illness or temporary absence of a member that causes significant difficulty traveling to the meeting location. Consistent with the Town of Hampden Charter, members are restricted to six remote meetings a year and the chair or presiding officer of the body, in consultation with other members if appropriate and possible, will make a determination that remote methods of participation are necessary in as timely a manner as possible under the circumstances. A member who is unable to attend a meeting in person will notify the chair or presiding officer of the body as far in advance as possible. Members are permitted to attend executive sessions remotely provided that the security of the technology is vetted by the IT department. As an assurance for the public and for full transparency, it shall be the policy that remote participation by members of the body shall be permitted only by way of video. Participation by members through telephone or chat features shall be prohibited.

The public will be provided a meaningful opportunity to attend via remote methods ~~when any member of the body participates via remote methods for all meetings.~~ The public will also be provided an opportunity to attend the meeting in person unless there is an emergency or urgent issue that requires the entire body to meet using remote methods. Even when all members of the body are physically present, ~~the chair or presiding officer of the body, in consultation with other members if appropriate and possible,~~ it shall be the policy of the Town of Hampden to allow members of the public to attend and participate via remote methods.

Notice of all meetings will be provided in accordance with 1 MRSA § 406 and any applicable charter, ordinance, policy, or bylaw. When the public attend via remote methods, notice will include the means by which the public may access the meeting remotely and will provide a method for disabled persons to request necessary accommodation to access the meeting. Notice

will also identify a location where the public may attend the meeting in person. The body will not restrict public attendance to remote methods except in the case of an emergency or urgent issue that requires the body to meet using remote methods of attendance.

The body will make all documents and materials to be considered by the body available to the public who attend in person, provided no additional costs are incurred by the body.

All votes taken during a meeting using remote methods will be by roll call vote that can be seen and heard if using video technology, or heard if using audio technology only, by other members of the body and the public. A member of the body who participates remotely will be considered present for purposes of a quorum and voting.

This policy will remain in force indefinitely unless amended or rescinded.

Dated: \_\_\_\_\_

Signed: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_